IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

LA.App..No. 191 of 2007()

LAR.86/1999 OF SUBORDINATE JUDGE'S COURT, NORTH PARAVUR

APPELLANT: SUPPL. 2ND RESPONDENT

KOCHI INTERNATIONAL AIRPORT SOCIETY,
REPRESENTED BY ITS MANAGING DIRECTOR,
NEDUMBASSERY, ANGAMALY, ERNAKULAM DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.
SMT.T.N.GIRIJA, SC, COCHIN I AIRPORT LT

RESPONDENTS: CLAIMANTS & 1ST RESPONDENT
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1. PAPPACHAN, S/O. DEVASSY,
POOVELY, NAYATHODE, ERNAKULAM DISTRICT.

2. STATE OF KERALA, REPRESENTED BY
THE DISTRICT COLLECTOR, ERNAKULAM DISTRICT,
ERNAKULAM.

GOVERNMENT PLEADER SMT.K.R.DEEPA

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

L.A.A. NO. 191 OF 2007

Dated this the 19th day of March,2007

JUDGMENT

Kurian Joseph, J.

This appeal is directed against the judgment and decree dated 30.11.2001 in L.A.R.No.86 of 1999. The land is acquired for the purpose of construction of the Terminal for the Kochi International Airport. It is seen that the connected matters have already been disposed of by this Court by limiting the enhancement to 45% of the land value awarded by the Land Acquisition Officer. One such judgment is L.A.A.No.885 of 2001 filed against L.A.R.No.166 of 1998 in respect of the neighbouring land. Though notice is served, there is no appearance.

After having heard the learned counsel appearing for the Airport Authority and also the learned Government Pleader, we are satisfied that the claimant in the instant case also is entitled only to the same

relief. Accordingly, we allow this Appeal partly. The claimant/first respondent in this appeal will be entitled only to 45% enhancement on the land value that was awarded by the Land Acquisition Officer along with the statutory benefits. We also make it clear that the claimant will be entitled to interest on the enhanced compensation including solatium.

(KURIAN JOSEPH)
Judge

(K.T.SANKARAN)
Judge

ahz/